Document 20 Filed 08/15/2007 Case 5:07-cv-02949-PVT YUNG MING CHOU, ESQ (SBN 172118) 1 39111 Paseo Padre Parkway, Suite 207 Fremont, CA 94538 2 Tel.: (510) 713-8698 3 Fax: (510) 713-8690 E-Mail; chouyung@aol.com 4 Attorney for Plaintiffs ATECH FLASH TECHNOLOGY INC. 5 & SUNUS SUNTEK INC. 6 JEFFREY K. LEE, State Bar No. 212465 SALLIE KIM, State Bar No. 142781 7 GCA LAW PARTNERS LLP 8 1891 Landings Drive Mountain View, CA 94043 Q Phone No.: (650) 428-3900 Fax No.: (650) 428-3901 10 E-mail: jlee@gcalaw.com E-mail: skim@gcalaw.com 11 Attorneys for Defendants MARTIN C. LIN, YUSHAN WANG, AKA 12 SAMANTHA WANG, and IMAGE DEVICE INC. 13 14 UNITED STATES DISTRICT COURT 15 NORTHERN DISTRICT OF CALIFORNIA 16 ATECH FLASH TECHNOLOGY INC. & SUNUS SUNTEK INC. Case No.: C07 02949 PVT 17 STIPULATED REQUEST TO VACATE AND Plaintiff, 18 RESET TIMES SET BY THE INITIAL | SCHEDULING ORDER AND [1786/808/808/808] VS. 19 ORDER MARTIN C. LIN, YUSHAN WANG, A.K.A. 20 SAMANTHA WANG., AND IMAGE The Hon, Patricia V. Trumbull DEVICE INC. 21 Defendants. 22 23 24 Pursuant to Civil Local Rule 6-2, plaintiffs Atech Flash Technology Inc. and Sunus 25 Suntek Inc. and defendants Martin C. Lin, Yushan Wang, a.k.a. Samantha Wang, and Image 26 Device, Inc. hereby stipulate and request that this Court vacate all pending deadlines found in its 27 June 7, 2007 Order setting the initial case management conference and ADR deadlines until such 28 time after it rules on defendants' pending motion to dismiss plaintiffs' complaint for, inter alia, (JOINT MOTION TO VACATE THE INITIAL SCHEDULING ORDER) C07 02949 PVT

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lack of subject matter jurisdiction. The parties jointly declare the following in support of this 1 2 request: WHEREAS, on June 7, 2007, the Hon. Patricia V. Trumbull issued an order setting initial 3 case management conference and ADR deadlines, establishing the parties' meet and confer and 4 ADR certification deadlines for August 21, 2007, the initial disclosure and Case Management 5 Statement filing deadlines for September 4, 2007, and scheduling an initial case management 6 conference for September 11, 2007; 7 WHEREAS, defendants Martin C. Lin, Yushan Wang, a.k.a. Samantha Wang, and Image 8 Device Inc. have filed a motion to dismiss plaintiffs' complaint for (1) lack of subject matter 9 jurisdiction, (2) lack of personal jurisdiction over defendant Image Device, Inc. and (3) failure to 10 state a claim in each count of the complaint, and the hearing for said motion is scheduled for 11 12 September 4, 2007; WHEREAS, all plaintiffs and defendants filed their written consents to proceed before a 13 United States Magistrate Judge on August 2, 2007; 14 WHEREAS, the requested modification of the aforesaid deadlines would be in the agreed 15 best interests of the parties and have not effect on the schedule for this case; 16 WHEREAS, it would best serve judicial economy for this Court to vacate and reserving 17 18 WHEREAS, the parties stipulated to a previous five (5) day enlargement of time for 19 defendants to respond to plaintiff's complaint; 20 WHEREFORE plaintiffs Atech Flash Technology Inc. and Sunus Suntek Inc. and 21 defendants Martin C. Lin, Yushan Wang, a.k.a. Samantha Wang, and Image Device Inc. hereby 22 jointly stipulate and request that this Court vacate its order setting initial case management 23 conference and ADR deadlines, dated June 7, 2007, and all deadlines set forth therein, unital xxxxx 24 MINIMENTAL SECONDARIA XEXTRESIDADO A MONTA MANTA POR MANTA MANTANTA MANTA MANT 25 26 /// 27 //

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1	Dated: August 15, 2007
2	/s/ Yung-Ming Chou Yung-Ming Chou
3	r ung-wing Chou
4	Attorney for Plaintiffs ATECH FLASH TECHNOLOGY INC. &
5	SUNUS SUNTEK INC.
6	
	Dated: August 15, 2007 JEFFREY K. LEE SALLIE KIM
7	GCA LAW PARTNERS LLP
8	By: /s/ Jeffrey K. Lee (by permission)
9	Jeffrey K. Lee
10	Attorneys for Defendants
11 12	MARTIN C. LIN, YUSHAN WANG, AKA SAMANTHA WANG, and IMAGE
13	DEVICE INC.
14	
15	
16	<u>ORDER</u>
17	After consideration of the parties' Stipulated Request to Vacate and Reset Times Set by
18	the Initial Scheduling Order and good cause appearing:
19	PURSUANT TO STIPULATION, IT IS SO ORDERED that the order setting initial case
20	management conference and ADR deadlines, dated June 7, 2007, and all pending deadlines set
21	forth therein are hereby VACATED until tirrities order of the Court. The Case Management Conference shall be
22	Posted: X/// 2007 held on October 2,
23	
24	Bokicia V. Translat
25	Patricia V. Trumbull United States Magistrate Judge
26	Owner Came Traditions and
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